

Report Date: June 23, 2015

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Jun 24, 2015**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Brian Vince Botzon

Case Number: 0980 2:00CR00216-RHW-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: March 8, 2002

Original Offense: Armed Bank Robbery, 18 U.S.C. § 2113(d)

Original Sentence: Prison 140 months;  
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Joseph H. Harrington

Date Supervision Commenced: September 18, 2013

Defense Attorney: Federal Defenders Office

Date Supervision Expires: July 17, 2017

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1 &amp; 2

**Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**Special Condition # 24:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.**Supporting Evidence:** On June 11, 2015, the undersigned officer received notification from Alcohol Drug Education Prevention and Treatment (ADEPT), that Mr. Botzon had missed his random urinalysis test scheduled for June 10, 2015. The undersigned officer placed a call to Mr. Botzon, but was unable to leave a message as his voice mail had not been set up. The undersigned officer then sent a text message to Mr. Botzon directing him to report. On June 12, 2015, as multiple calls had gone unanswered by Mr. Botzon, a phone call was placed to Mr. Botzon's mother who agreed to notify him that the undersigned officer was directing him to report to U.S. probation. On June 15, 2015, the undersigned officer was able to confirm with Mr. Botzon's mother that she had informed him of the directive on the morning of May 15, 2015. He did not make contact with the undersigned officer, or report to U.S. probation, until June 16, 2015.

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On June 19, 2015, the undersigned officer received confirmation that a urinalysis sample provided by Mr. Botzon at ADEPT on June 16, 2015, was positive for alcohol. Contact was made with Mr. Botzon to inquire about the incident. He admitted to consuming alcohol twice since his release from inpatient treatment on May 29, 2015. Mr. Botzon stated that his most recent use of alcohol was on June 18, 2015, in which he consumed "three or four beers." He had been previously directed to report to U.S. probation on every Monday until directed otherwise, and he confirmed that he would report on Monday (6/22/2015) as previously directed.

On June 22, 2015, Mr. Botzon reported to U.S. probation as directed, and admitted to again drinking alcohol on June 19, 2015, after he spoke with the undersigned officer. He signed two drug use admission forms documenting both described incidents.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 23, 2015

s/ Chris Heinen

Chris Heinen  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

June 24, 2015

Date